



MEMO ENDORSED

March 13, 2020

BY ECF

Honorable Edgardo Ramos
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007
Tel (212) 805-0294
Courtroom 619
ChambersNYSDRamos@nysd.uscourts.gov

The application is X granted denied

Edgardo Ramos, U.S.D.J Dated: March 16, 2020 New York, New York

Re: <u>United States v. Mario Alvarenga et al.</u>, (S4 15-cr-00627)

Withdrawal Of Request for Adjournment and Extension of Time

Dear Justice Ramos:

This office represents Claimants Nyamekye Holding Corp. and Samuel Nyamekye with respect to the forfeiture proceedings regarding 2146-2148 Fulton Street, Brooklyn, New York.

On December 12, 2018, Claimants filed their Petition in Response to the underlying Forfeiture Order seeking to recover their real property (ECF Document 506).

In a separate, but related proceeding, mortgagee Petermark filed a similar Petition and currently has a pending summary judgment motion seeking relief against the United States Of America.

On February 28, 2020, Claimant filed (ECF Document 693) a letter request seeking an extension of time to respond to Petermark's Motion. However, as indicated in the Docket on March 2, 2020, the request was filed under the wrong event-type on ECF. Inadvertently, this communication in the docket was not viewed until reviewing the other documents on PACER related to this pending motion. The undersigned apologizes for not timely addressing.

Nevertheless, upon reviewing the Government's Opposition to Petermark's Motion, Claimant would only repeat the same arguments and request that the motion be denied until Claimant's Petition is resolved in due course, especially because Petermark makes no request to disturb Claimant's rights and ownership interest in the subject real property.

To this end, Claimant joins in Government's Opposition to Third-Party Petitioner's Motion and, to avoid the duplication of papers, withdraws its previous request to extend time to respond.

Again, the undersigned apologizes for not timely responding to the court's instruction to relief the letter-request.

Claimant thanks the court for its time and attention.

Very Truly Yours,

/s/ Steven Alexander Biolsi Steven Alexander Biolsi

cc: via ECF

OFFICE OF THE UNITED STATES ATTORNEY Southern District of New York Geoffrey S. Berman, United States Attorney Sebastian Swett, Assistant United States Attorney Andrew Thomas, Assistant United States Attorney The Silvio J. Mollo Building 1 Saint Andrew's Plaza New York, New York 10007 (212) 637-2106.

BUTLER, FITZGERALD, FIVESON & McCARTHY A Professional Corporation David K. Fiveson Attorneys for Third-Party Petitioner Petermark II LLC Nine East 45th Street, Ninth Floor New York, New York 10017 (212) 615-2200